

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

ASCENTIUM CAPITAL LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	CIVIL ACTION NUMBER
ADAMS TANK & LIFT, INC.; ANDREW J.	)	1:15-cv-00123-LJA
ADAMS; PHOENIX PETROLEUM, LLC;	)	
GREAT AMERICAN TRAVEL CENTER,	)	
LLC; FALCON ENTITY, LLC,	)	
	)	
Defendants.	)	

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**DECLARATION OF TONY CAMPI**

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I, Tony Campi, declare under penalty of perjury that:

1.

I am more than 18 years of age and am otherwise fully competent to testify to the matters set forth in this declaration.

2.

I am employed by Ascentium Capital LLC (“Ascentium”), the plaintiff in the above-captioned case, as Vice President and Manager of Special Assets.

3.

This declaration is based upon my personal knowledge and my review of Ascentium's business records maintained in the ordinary course of its business.

4.

I am personally familiar with the agreements and relevant documents at issue in the pending litigation and the amounts due and owing under said agreements.

5.

I have reviewed Ascentium's records concerning the account of Defendant Phoenix Petroleum, LLC ("Phoenix") and guarantees of Falcon Entity, LLC ("Falcon"), which relate to the allegations in the Complaint.

6.

The outstanding and unpaid indebtedness due under the First Cairo Agreement is the principal sum of \$60,192.28, pre-judgment interest of \$1,213.48 through to October 9, 2015, and additional pre-judgment interest from October 10, 2015 through the date of entry of judgment at the default rate of 16.00% per annum or \$26.38 per day.

7.

The outstanding and unpaid indebtedness due under the Second Cairo Agreement is the principal sum of \$43,128.19, pre-judgment interest of \$869.40 through October 9, 2015, and additional pre-judgment interest from October 10, 2015 through the date of entry of judgment at the default rate of 16.00% per annum or \$18.90 per day.

The outstanding and unpaid indebtedness due under the Jackson Agreement is the principal sum of \$166,562.56, late fees of \$3,875.10, pre-judgment interest of \$26,648.65 through October 9, 2015, and additional pre-judgment interest from October 10, 2015 through the date of entry of judgment at the default rate of 16.00% per annum or \$73.01 per day.

8.

To date, Falcon has failed to reimburse Ascentium for the outstanding debt demanded.


9.

The accrued interest under the Agreements, outstanding principal balance under the Agreements, and all amounts reflected as outstanding above and in this Affidavit are based upon my personal knowledge, my review of the Jackson Agreements, Cairo Agreements, Jackson and Cairo Guarantees, and the history of payments and other amounts applied toward the outstanding amounts owed. Attached as **COMPOSITE EXHIBIT A** are true and correct copies of the loan histories for the First Cairo Agreement, the Second Cairo Agreement, and the Jackson Agreement, which were created and maintained by Ascentium in the regular course of its business by persons within Ascentium who have personal knowledge of these transactions. These loan histories depict the amounts advanced, payments and credits applied, interest and late charges assessed, and outstanding balances of these Agreements. It is the regular practice of Ascentium to make and maintain these types of loan histories in the ordinary course of its business.

*[Signature on Following Page]*

I DECLARE UNDER PENALTY OF PURGERY THAT THE FOREGOING STATEMENT IS TRUE AND ACCURATE.

ASCENTIUM CAPITAL LLC

  
TONY CAMPI, VICE PRESIDENT-  
MANAGER, SPECIAL ASSETS

# **COMPOSITE EXHIBIT A**

01 Ascentium Capital LLC  
Payment History Report - Summary  
As of 10/09/2015PMRLSPMT  
Operator: TMC

Contract Number: 2118850  
 Customer: Phoenix Petroleum, LLC  
 Address Line 1: 1920 ALBANY HWY  
 Address Line 2:  
 City, State, Zip: DAWSON, GA  
 Equipment Description: Dispensers and Canopy

Term of Contract: 60 Months  
 Payment Frequency: Monthly  
 Payment Structure: Irregular  
 Inception Date: 7/10/13  
 First Payment Date: 7/10/13  
 Maturity Date: 7/10/18

Regular Payment Amount: 3,875.08  
 Total Scheduled Payments: 264,748.92  
 Total Amount Applied: 88,855.42  
 Current Schedule Balance: 175,893.50  
 Unapplied Cash: .00  
 Security Deposit: .00  
 Equipment Cost: 216,000.00  
 Residual Value: .00

\* Indicates contract is a Loan

Trx No.	Effective Date	Pmt Due Date	Dys	Check Number	Transaction Amount	T	Contract Payment	Sales Tax	Property Tax	Late Fees	Misc/Other	T	Equipment Purchase	Security Deposit	Unapplied Cash	Schedule Balance
1	7/01/13	7/01/13		15035	495.00	P	.00	.00	.00	.00	495.00	.00	.00	.00	.00	264,748.92
2	7/01/13	7/10/13		15038	24,000.00	P	24,000.00	.00	.00	.00	.00	.00	.00	.00	.00	240,748.92
3	8/10/13	8/10/13		1	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	236,116.39
4	8/12/13	8/10/13	2	7006	1,389.76	P	.00	.00	.00	.00	1,389.76	.00	.00	.00	.00	236,116.39
5	9/10/13	9/10/13		7	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	231,483.86
6	10/10/13	10/10/13		7	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	226,851.33
7	10/10/13	10/10/13		8	389.85	P	.00	.00	.00	.00	389.85	.00	.00	.00	.00	226,851.33
8	10/10/13	10/10/13		8	-389.85	R	.00	.00	.00	.00	-389.85	.00	.00	.00	.00	226,851.33
9	10/10/13	10/10/13		9	19.58	P	.00	.00	.00	.00	19.58	.00	.00	.00	.00	226,851.33
10	10/10/13	10/10/13		9	-19.58	R	.00	.00	.00	.00	-19.58	.00	.00	.00	.00	226,851.33
11	11/22/13	10/10/13	43	10	333.32	P	.00	.00	.00	.00	333.32	.00	.00	.00	.00	226,851.33
12	11/22/13	10/10/13	12	11	16.74	P	.00	.00	.00	.00	16.74	.00	.00	.00	.00	222,218.80
13	11/22/13	11/20/13	2	12	4,632.53	P	4,632.53	.00	.00	463.25	.00	.00	.00	.00	.00	222,218.80
14	11/22/13	12/10/13		13	463.25	P	.00	.00	.00	.00	.00	.00	.00	.00	.00	217,586.27
15	12/10/13	12/10/13		14	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	212,953.74
16	1/10/14	1/10/14		15	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	208,321.21
17	2/10/14	2/10/14		16	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	203,688.68
18	3/10/14	3/10/14		17	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	199,056.15
19	4/10/14	4/10/14		18	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	194,423.62
20	5/10/14	5/10/14		19	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	189,791.09
21	6/10/14	6/10/14		20	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	185,158.56
22	7/10/14	7/10/14		21	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	180,526.03
23	8/10/14	8/10/14		22	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	175,893.50
24	9/10/14	9/10/14		23	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	171,260.97
25	10/10/14	10/10/14		24	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	171,260.97
26	10/10/14	10/10/14		25	-4,632.53	R	-4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	175,893.50
27	10/16/14	10/10/14	6	25	4,632.53	P	4,632.53	.00	.00	.00	.00	.00	.00	.00	.00	175,893.50
28	10/16/14	10/10/14		25	-4,632.53	R	-4,632.53	.00	.00	.00	30.00	.00	.00	.00	.00	175,893.50
29	10/16/14	10/10/14	6	26	30.00	P	.00	.00	.00	.00	-30.00	.00	.00	.00	.00	175,893.50
30	10/16/14	10/10/14		26	-30.00	R	.00	.00	.00	.00	.00	.00	.00	.00	.00	175,893.50
Total:					91,553.49		88,855.42	.00	.00	463.25	2,234.82	.00	.00	.00	.00	175,893.50

Report Keys: TT Column Values for Transaction Type  
 C = Credit Rental and Credit Memo  
 D = Discount Automatic Update  
 M = Miscellaneous Cash  
 P = Cash Receipt and Unapplied Cash  
 R = Return Check  
 W = Write Off

TC Column Values for Misc/Other Transaction Code  
 <blank> Tran code not setup, or Miscellaneous Cash

PHILSPMT  
Operator: TMC

01 Ascendum Capital LLC  
Payment History Report - Summary  
As of 10/09/2015

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Contract Number: 2116122  
Customer: Phoenix Petroleum, LLC  
Address Line 1: 1920 ALBANY HWY  
Address Line 2:  
City, State, Zip: DAWSON, GA  
Equipment Description: Dispensers, Canopy, etc

Term of Contract: 60 Months  
Payment Frequency: Monthly  
Payment Structure: Regular  
Inception Date: 2/10/13  
First Payment Date: 2/10/13  
Maturity Date: 2/10/18

Regular Payment Amount: 3,069.00  
Total Scheduled Payments: 184,140.00  
Total Amount Applied: 138,849.00  
Current Schedule Balance: 45,291.00  
Unapplied Cash:  
Security Deposit:  
Equipment Cost: 150,000.00  
Residual Value:

\* Indicates contract is a loan

Tax No.	Effective Date	Pmt Date	Dys	Check Lt	Transaction Amount	Contract Payment	Sales Tax	Property Tax	Late Fees	Misc/Other	T	Equipment Purchase	Security Deposit	Unapplied Cash	Schedule Balance
1	1/25/13	2/10/13		6992	1,023.00 P	1,023.00	.00	.00	.00	.00	.00	.00	.00	.00	183,117.00
2	1/25/13	2/10/13		7308	2,046.00 P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	181,071.00
3	1/25/13	2/10/13		7309	3,539.00 P	3,069.00	.00	.00	.00	470.00	.00	.00	.00	.00	178,002.00
4	3/10/13	3/10/13		1	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	174,933.00
5	4/11/13	4/10/13		1	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	171,864.00
6	5/10/13	5/10/13		3	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	168,795.00
7	5/20/13	3/10/13		71	1,534.50 P	3,069.00	.00	.00	.00	1,534.50	.00	.00	.00	.00	168,795.00
8	6/10/13	6/10/13		5	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	165,726.00
9	7/10/13	7/10/13		7	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	162,657.00
10	8/10/13	8/10/13		6	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	159,588.00
11	9/10/13	9/10/13		9	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	156,519.00
12	10/10/13	10/10/13		11	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	153,450.00
13	11/10/13	11/10/13		12	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	150,381.00
14	12/10/13	12/10/13		13	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	147,312.00
15	1/10/14	1/10/14		15	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	144,243.00
16	2/10/14	2/10/14		15	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	141,174.00
17	3/10/14	3/10/14		16	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	138,105.00
18	4/10/14	4/10/14		17	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	135,036.00
19	5/10/14	5/10/14		18	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	131,967.00
20	6/10/14	6/10/14		19	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	128,898.00
21	7/10/14	7/10/14		20	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	125,829.00
22	8/10/14	8/10/14		21	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	122,760.00
23	9/10/14	9/10/14		22	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	119,691.00
24	10/10/14	10/10/14		23	3,069.00 P	3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	116,622.00
25	10/10/14	10/10/14		23	3,069.00 R	-3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	119,691.00
26	10/16/14	10/10/14		6	3,069.00 R	-3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	116,622.00
27	10/16/14	10/10/14		24	3,069.00 R	-3,069.00	.00	.00	.00	.00	.00	.00	.00	.00	119,691.00
28	10/16/14	10/10/14		6	30.00 P	.00	.00	.00	.00	30.00	.00	.00	.00	.00	119,691.00
29	10/16/14	10/10/14		25	-30.00 R	.00	.00	.00	.00	-30.00	.00	.00	.00	.00	119,691.00
30	8/24/15	10/10/14		318	74,400.00 P	74,400.00	.00	.00	.00	.00	.00	.00	.00	.00	45,291.00
Total:					140,853.50	138,849.00	.00	.00	.00	2,004.50	.00	.00	.00	.00	45,291.00

Report Keys: TT Column Values for Transaction Type

C = Credit Rental and Credit Memo  
D = Discount Automatic Update  
M = Miscellaneous Cash  
P = Cash Receipt and Unapplied Cash  
R = Return Check  
W = Write Off

TC Column Values for Misc/Other Transaction Code  
<blank> Tran code not setup, or Miscellaneous Cash



PMRSPMT  
Operator: TMC

01 Ascendum Capital LLC  
Payment History Report - Summary  
As of 10/09/2015

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Contract Number: 2118557  
Customer: Phoenix Petroleum, LLC  
Address Line 1: 1920 ALBANY HWY  
Address Line 2:  
City, State, Zip: DAMSON, GA  
Equipment Description: Dispensers, Canopy, etc

Term of Contract: 60 Months  
Payment Frequency: Monthly  
Payment Structure: Regular  
Inception Date: 2/10/13  
First Payment Date: 2/10/13  
Maturity Date: 2/10/18

Regular Payment Amount: 2,046.00  
Total Scheduled Payments: 122,760.00  
Total Amount Applied: 88,026.00  
Current Schedule Balance: 34,734.00  
Unapplied Cash: .00  
Security Deposit: .00  
Equipment Cost: 100,000.00  
Residual Value: .00

\* Indicates contract is a loan

Trx No.	Effective Date	Pmt Due Date	Dys	Check Number	Transaction Amount	T	Contract Payment	Sales Tax	Property Tax	Late Fees	Misc/Other	T	Equipment Purchase	Security Deposit	Unapplied Cash	Schedule Balance
1	1/25/13	2/10/13		6992	4,092.00	P	4,092.00	.00	.00	.00	.00	.00	.00	.00	.00	118,668.00
2	1/25/13	2/10/13		7308	295.00	P	.00	.00	.00	.00	295.00	.00	.00	.00	.00	118,668.00
3	3/10/13	3/10/13		1	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	116,622.00
4	4/11/13	4/10/13	1	2	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	114,576.00
5	5/10/13	5/10/13		3	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	112,530.00
6	5/20/13	3/10/13	71	4	1,023.00	P	.00	.00	.00	.00	1,023.00	.00	.00	.00	.00	112,530.00
7	6/10/13	6/10/13		5	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	110,484.00
8	7/10/13	7/10/13		6	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	108,438.00
9	8/10/13	8/10/13		7	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	106,392.00
10	9/10/13	9/10/13		9	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	104,346.00
11	10/10/13	10/10/13		11	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	102,300.00
12	11/10/13	11/10/13		12	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	100,254.00
13	12/10/13	12/10/13		13	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	98,208.00
14	1/10/14	1/10/14		14	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	96,162.00
15	2/10/14	2/10/14		15	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	94,116.00
16	3/10/14	3/10/14		16	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	92,070.00
17	4/10/14	4/10/14		17	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	90,024.00
18	5/10/14	5/10/14		18	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	87,978.00
19	6/10/14	6/10/14		19	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	85,932.00
20	7/10/14	7/10/14		20	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	83,886.00
21	8/10/14	8/10/14		21	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	81,840.00
22	9/10/14	9/10/14		22	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	79,794.00
23	10/10/14	10/10/14		23	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	77,748.00
24	10/10/14	10/10/14		23	2,046.00	R	-2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	79,794.00
25	10/16/14	10/10/14	6	24	2,046.00	P	2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	79,794.00
26	10/16/14	10/10/14		24	-2,046.00	R	-2,046.00	.00	.00	.00	.00	.00	.00	.00	.00	79,794.00
27	10/16/14	10/10/14	6	25	30.00	P	.00	.00	.00	.00	30.00	.00	.00	.00	.00	79,794.00
28	10/16/14	10/10/14		25	-30.00	R	.00	.00	.00	.00	-30.00	.00	.00	.00	.00	79,794.00
29	8/24/15	10/10/14	318	15832	49,600.00	P	45,060.00	.00	.00	.00	4,540.00	.00	.00	.00	.00	34,734.00
Total:					93,884.00		88,026.00	.00	.00	.00	5,858.00	.00	.00	.00	.00	34,734.00

Report Keys: TT Column Values for Transaction Type

C = Credit Rental and Credit Memo  
D = Discount Automatic Update  
M = Miscellaneous Cash  
P = Cash Receipt and Unapplied Cash  
R = Return Check  
W = Write Off

TC Column Values for Misc/Other Transaction Code

<blank> Tran code not setup, or Miscellaneous Cash